

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Public Safety and Homeland Security Bureau)	PS Docket No. 06-229
Seeks Comment on the Technical and)	
Operational Feasibility of Enabling Flexible)	DA 10-1877
Use of the 700 MHz Public Safety)	
Narrowband Allocation and Guard Band for)	Dated September 28, 2010
Broadband Services)	
)	

**Comments of
Region 8 – 700 MHz Regional Planning Committee**

Regional Planning Committee 8 (RPC 8) respectfully submits the following comments in response to the Commission's Public Notice, DA 10-1877, dated September 28, 2010, regarding the technical and operational feasibility of enabling flexible use of the 700 MHz public safety narrowband allocation and guard band for broadband services. The Committee appreciates the Commission affording us this opportunity to express our views regarding this critical issue.

According to the 2000 Census, the RPC 8 coverage area exceeds 19-million population. It incorporates two-(2) Tier 1-level Urban Areas Security Initiatives (UASI), New York City and New Jersey. These areas are at high risk for threats of terrorism, man-made and natural disasters. RPC 8 comprises the New York Counties of the Bronx, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Dutchess, and Westchester; the New Jersey Counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex, Union, Warren, Middlesex, Somerset, Hunterdon, Mercer, and Monmouth.

RPC 8 strongly opposes any reorganization of the 700 MHz narrowband spectrum for the following reasons:

1. The 700 MHz public safety narrowband channel allotment should be preserved intact nationwide with no option for broadband operations in this spectrum since it is an integral part of mission-critical voice networks in many jurisdictions and will remain so for the foreseeable future.¹
2. There is an great demand for narrowband 700 MHz spectrum to be used for the expansion of mission-critical voice systems; specifically, regional resource expansion of 800 MHz public safety systems. The 700 MHz public safety narrowband spectrum is the only option available for densely populated urban and suburban areas to relieve the effects of high-capacity and excessive utilization of the 800 MHz networks in order to more effectively support public safety services.
3. The 700 MHz narrowband spectrum addresses a critical gap in the RPC 8 mutual aid, preparedness and situational awareness to better protect persons, property and the safety of our first responders. Emergency response often requires support from other entities throughout the region including associated jurisdictions, state and federal governmental agencies. The 700 MHz narrowband interoperable channels are integral to the regional radio cache (a Public Safety Interoperable Communications grant program award) of the New York City Urban Area; and the spectrum will further advance Region 8 in attaining more current interoperable capabilities utilizing standards based technology platforms. If flexible usage of the narrowband allocation is provided for broadband services, the result will undermine national interoperability priorities.
4. Regional plans have been approved across the nation, including RPC 8's plan. The consolidated effort in developing the RPC 8 Public Safety Communications Plan for the 700 MHz General Use channels "*...is the result of the dedication and perseverance of everyone involved in its development, including our neighboring regions...*"² Additionally, during our application filing Windows 1³ and 2⁴ opened and closed; channel allotments are being made to numerous member-

¹ Comments of the City of New York in the Matter of Service Rules for the 698-746, 747-764 and 777-792 MHz Bands, Implementing a Nationwide Broadband, Interoperable Public Safety Network in the 700 MHz Band, October-16-2009; WT Docket No. 06-150, PS Docket No. 06-229

² FCC Regional Planning Committee 8 correspondence of April-24-2008 to FCC Chief Derek Poarch

³ Region 8 Window 1 opened January 1-30, 2010

⁴ Region 8 Window 2 opened September 1-30, 2010 and was later extended until October 30, 2010

agencies, and inter-regional concurrence is underway to conclude with licensing activities. To-date, the following channel requests have been made by RPC 8 member-agencies:

RPC 8 - 700 MHz General Pool Narrowband Applicants			
	Number of Channels Allocated in Window 1	Number of Channels Requested in Window 2	Total Number of Channels Requested
Orange County, NY	12		
Rockland County, NY	20		
Suffolk County, NY	44		
Union County, NJ	10		
Middlesex County, NJ	32		
Metropolitan Transportation Authority Police Department / New York State Police	62		
New York City Transit Authority	128		
New York City Department of Information Technology and Telecommunications	54	30	
	362	30	392

The number of channels is stated in 6.25 kHz wide channels. The systems being implemented or pending to date are all using technologies requiring a 12.5 or 25 kHz bandwidth.

RPC 8 - 700 MHz Interoperability Channels allotted to NYC				
774.856 MHz	769.14375 MHz	773.10625 MHz	770.39375 MHz	769.99375 MHz
804.856 MHz	799.14375 MHz	803.10625 MHz	800.39375 MHz	799.99.375 MHz
769.631 MHz	773.11875 MHz	773.61875 MHz	770.63125 MHz	769.13125 MHz
799.631 MHz	803.11875 MHz	803.61875 MHz	800.63125 MHz	799.13125 MHz

5. These collective efforts, thousands of man-hours over the course of several years, and the millions of dollars spent in planning system deployment, would be negated and necessitate a massive re-planning effort.
6. In addition technologies will pose technical challenges when it comes to the coordination and interference analysis between systems.
7. Member-agency projects involve new system builds, the reconfiguration of legacy systems and the purchase of 700 MHz radios that expand the ability to communicate across jurisdictions. If flexible usage of the narrowband allocation is provided for broadband services, the result will strand millions of dollars in investments in communications infrastructure and equipment.

These ramifications serve as the basis of our commentary. We respectfully ask the Commission to evaluate all docket commentary within a reasonable timeframe and not permit the use of this spectrum for the flexible use of broadband applications without the risk of interference to existing narrowband deployments.

Respectfully submitted,

Anthony Melia


Lieutenant Anthony Melia

Chairperson

Region 8 – 700 MHz Regional Planning Committee

December 3, 2010